



## The Subcommittee on Human Rights and Wellness

Chairman Dan Burton (R ~ IN)

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### CONSUMER CHOICE AND IMPLEMENTING FULL DISCLOSURE IN DENTISTRY

***“... Amalgam must be considered to be an unsuitable material for dental restoration.”***

Washington, D.C. – The House Government Reform Subcommittee on Human Rights and Wellness is continuing an investigation into medical and dental exposure to mercury that was initiated during the 107<sup>th</sup> Congress by Chairman Dan Burton (R-IN-5) at the full Committee on Government Reform. This hearing will focus on the potential health implications of mercury in the body, as well as the importance of fully disclosing adequate information to patients, in order to better enable them to make informed choices about the type of dental restorative material that is used in their treatment.

The Subcommittee on Human Rights and Wellness hearing, entitled **“Consumer Choice and Implementing Full Disclosure in Dentistry,” will be held on Thursday, May 8, 2003, in Room 2154 of the Rayburn House Office Building at 2:00 p.m.**

Said Burton, “Mercury is one of the most toxic minerals found in nature, second only to radioactive materials. American consumers and parents have a right to know, in advance, the risks of placing a product containing a substantial amount of mercury in their mouths or the mouths of their children.”

During his tenure as Chairman of the full Committee on Government Reform (1997-2002), Congressman Burton raised concerns about the use of the mercury-based preservative, thimerosal, in vaccines and its links to developmental, speech, and language delays. In a hearing on November 14, 2002, Chairman Burton specifically focused on the potential neurological damage from mercury-containing dental amalgams, and the particular risks to fetuses and young children.

A dental amalgam, often called a “silver filling,” is made up of a mixture of powdered metals and liquid mercury. The amalgam gets its silver color from the mercury, which makes up 50 percent or more of the amalgam by weight.

An increasing body of science points to mercury-containing dental amalgams as a source of neurological problems including, but not limited to, modest declines in intelligence quotient (IQ), Attention Deficit Disorder (ADD), Attention Deficit Hyperactivity Disorder (ADHD), Autism, and Alzheimer’s Disease (AD). A growing number of dentists in the private sector, estimated at approximately 27 percent, now practice mercury-free dentistry, using alternative restorative materials.

A group of leading scientists and medical researchers will appear before the Subcommittee to present their latest research findings. Among them, Dr. Maths Berlin, P.h.D., Professor Emeritus of Environmental Medicine at the University of Lund in Sweden, will discuss his most recent report, entitled “*Mercury in Dental Filling Materials – An Updated Risk Analysis in Environmental Medical Terms.*” A conclusion of that report, released just last week, states: “With reference to the fact that mercury is a multi-potent toxin with effects on several levels of the biochemical dynamics of the cell, **amalgam must be considered to be an unsuitable material for dental restoration. This is especially true since fully adequate and less toxic alternatives are available.**”

On the legislative front, Chairman Burton and Ranking Minority Member, Diane Watson (D-CA), have introduced the “*Mercury in Dental Fillings Disclosure and Prohibition Act of 2003.*” The Burton-Watson bill seeks to amend the Food, Drug and Cosmetic Act by prohibiting the introduction of mercury that is intended for use in a dental filling into interstate commerce after 2008. In addition to the 2008 phase-out deadline, the Burton-Watson bill also establishes a deadline for all mercury-containing devices intended for use in a dental filling to bear the following label effective December 31, 2004:

***“Dental amalgam contains approximately 50 percent mercury, a highly toxic element. Such product should not be administered to children less than 18 years of age, pregnant women, or lactating women. Such product should not be administered to a consumer without a warning that the product contains mercury, which is a highly toxic element, and therefore poses health risks.”***

#### **PANEL ONE WITNESSES:**

- **Dr. Fritz Lorscheider, P.h.D.**, Professor Emeritus, Medical Physiology & Biophysics  
University of Calgary, Calgary, Alberta, Canada
- **Dr. Boyd E. Haley, P.h.D.**, Professor and Chair, Department of Chemistry  
University of Kentucky, Lexington, KY
- **Dr. Maths Berlin**, Professor Emeritus, Environmental Medicine  
University of Lund, Sweden, and  
Past Chair, International Project of Chemical Safety,  
World Health Organization
- **Dr. Frederick C. Eichmiller, D.D.S.**, Director, American Dental Association Health  
Foundation Paffenbarger Research Center, National Bureau of Standards & Technology  
Gaithersburg, MD

#### **PANEL TWO WITNESSES:**

- **Congressman Mike Michaud (ME-02)**  
Member of Congress, Second District of Maine
- **Sandra Duffy, Esq.**, Founding Member, Consumers for Dental Choice Northwest  
Lake Oswego, OR
- **Dr. Chester Yokoyama, D.D.S.**, Member, Dental Board of California  
Los Angeles, CA
- **Mr. Emmitt Carlton**, Immediate Past President, Alexandria, Virginia Chapter,  
National Association for the Advancement of Colored People  
Alexandria, VA

For more information on this investigation, please visit the Government Reform Committee website at [www.house.gov/reform](http://www.house.gov/reform) and click on the link to the 107<sup>th</sup> Congress.

